

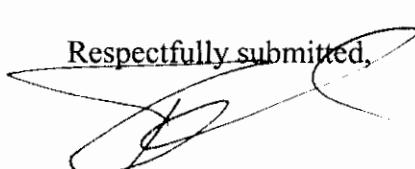
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BABCOCK BORSIG POWER GmbH,)
Plaintiff,)
v.)
BABCOCK POWER, INC.,)
Defendant,)
BABCOCK POWER, INC.,) CIVIL ACTION
Third-Party Plaintiff,) NO. 04-10825 (RWZ)
v.)
BABCOCK BORSIG, AG,)
Third-Party Defendant.)

CERTIFICATION
OF COUNSEL PURSUANT TO LOCAL RULE 7.1 (A) (2)

I, John F. Welsh, Esq., Counsel for Plaintiff Babcock Borsig Power GmbH, hereby certifies that I have conferred with counsel for Defendant Babcock Power, Inc. pursuant to the provisions of Local Rule 7.1 (A)(2) for the purpose to narrow or resolve the issues pertaining to Plaintiff's Motion for Partial Summary Judgment on Promissory Note.

Respectfully submitted,


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